

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
FILIPPO MAGNI,	:	
	:	S11 16 Cr. 644 (SHS)
Defendant.	:	
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WHEREAS, on or about March 18, 2019, FILIPPO MAGNI (the “Defendant”), was charged in a two-count information, S11 16 Cr. 644 (SHS) (the “Information”), with conspiracy to commit money laundering, in violation of Title 18, United States Code, Section 1956(h) (Count One); and narcotics conspiracy, in violation of Title 21, United States Code, Section 846 (Count Two);

WHEREAS, the Information included, *inter alia*, a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), of any and all property, real or personal, involved in the offense charged in Count One of the Information, and any property traceable to such property;

WHEREAS, on or about March 18, 2019, the Defendant pled guilty to Counts One and Two of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information, and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any and all property, real and personal, involved in the offense charged in Count One of the Information, and any property traceable to such property;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$4,750,000 in United States currency, representing property involved in the offense

charged in Count One of the Information, for which the Defendant is jointly and severally liable with co-defendants Alejandro Javier Rodriguez-Jiminez and Jesus Rodriguez-Jiminez, (the “Co-Defendants”) to the extent forfeiture money judgments are entered against the Co-Defendants in this case; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the property involved in the offense charged in Count One of the Information cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney, Jonathan E. Rebold, of counsel, and the Defendant, and his counsel, Arthur Louis Aidala, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$4,750,000 in United States currency (the “Money Judgment”), representing property involved in the offense charged in Count One of the Information, for which the Defendant is jointly and severally liable with the Co-Defendants to the extent forfeiture money judgments are entered against the Co-Defendants in this case, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant FILIPPO MAGNI, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals

Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

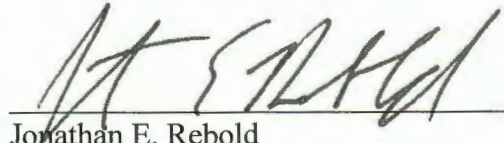
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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

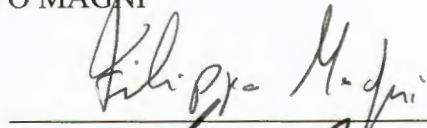
By:


Jonathan E. Rebold
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2512

2/7/2022
DATE

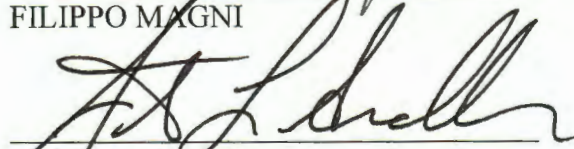
FILIPPO MAGNI

By:


FILIPPO MAGNI

2/8/22
DATE

By:


Arthur Louis Aidala, Esq.
Law Offices of Aidala and Bertuna, P.C.
Attorney for Defendant
813-13th Avenue
Brooklyn, NY 11228

2/8/22
DATE

SO ORDERED:


HONORABLE SIDNEY H. STEIN
UNITED STATES DISTRICT JUDGE

February 8, 2022
DATE